



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/630,134	08/01/2000	Samuel N. Zellner	BS00-065	5969

7590 02/12/2003

Steven P Arnheim Esq
Shaw Pittman
2300 N Street N W
Washington, DC 20037

EXAMINER

RAMPURIA, SHARAD K

ART UNIT	PAPER NUMBER
----------	--------------

2683

DATE MAILED: 02/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

mm

Office Action Summary

Application No.

09/630,134

Applicant(s)

ZELLNER ET AL.

Examiner

Sharad Rampuria

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,7. 6) ☐ Other:

Art Unit: 2683

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 4-5, 7, 12-15, 17-18, 20-21, 24, 26, 31-34, 36, 38, 41, 44-45 are rejected under 35 U.S.C. 102 (e) as being anticipated by Alperovich et al.

1. Regarding claim 1, Alperovich disclosed A method for delivering a calling party's location (Abstract) comprising:
 - a) receiving a call at a central office (301; Fig.3), wherein data associated with the call includes a directory number (Col.3; 22-39) of the calling party; (Col.4; 66 – Col.5; 5)
 - b) triggering a query to a service control point; (201; Fig.2; Col.3; 64 – Col.4; 14)

Art Unit: 2683

- c) retrieving location information associated with the calling party; (Col.3; 34–39 & Col.5; 14–21)
- d) returning the location information to the central office; (Col.5; 16–21) and
- e) terminating the call and delivering the location information to a called party. (Col.5; 16–21)

4. Regarding Claim 4, Alperovich disclosed The method of claim 1, wherein if the call is from a mobile device, the method further comprises the step of recording the location information after the call originates and before the call is received at the central office. (Col.3; 47–53 & 13–21)

5. Regarding Claim 5, Alperovich disclosed The method of claim 4, the step of recording the location information comprises using a location system to determine a current location of the mobile device. (Col.3; 47–53 & 13–21)

7. Regarding Claim 7, Alperovich disclosed The method of claim 1, wherein the step of retrieving the location information comprises searching a database for the calling party's location information using the directory number. (Col.3; 48–67)

12. Regarding Claim 12, Alperovich disclosed The method of claim 1, wherein the directory number is a telephone number of the calling party. (Col.3; 48–67)

Art Unit: 2683

13. Regarding Claim 13, Alperovich disclosed The method of claim 1, wherein the query to the service control point requests location information of the calling party. (Col.3; 47–53)

14. Regarding Claim 14, Alperovich disclosed The method of claim 1, wherein the database cross-references directory numbers with location information of the directory numbers. (Col.3; 48–67)

15. Regarding Claim 15, Alperovich disclosed The method of claim 1, wherein a network that tracks locations of network devices provides the location information. (Col.2; 50 – Col.3; 12)

17. Regarding claim 17, Alperovich disclosed A system for delivering a calling party's location information, the system comprising:

- a) an address database cross-referencing location descriptions with directory numbers (Col.3; 47-54); and
- b) a service control point in communication with the address database, (201; Fig.2; Col.3; 64 – Col.4; 14)

wherein the service control point is adapted to receive a communication including a directory number of a calling party, to search the address database for a location description corresponding to the directory number, and to forward the location description. (Col.3; 55-67)

18. Regarding claim 18, Alperovich disclosed The system of claim 17, wherein the communication is a query for routing instructions, the service control point is adapted to provide

Art Unit: 2683

routing instructions, and the service control point returns routing instructions with the location description to a central office that forwards the location description to a display unit. (Col.4; 66 – Col.5; 20)

20. Regarding claim 20, Alperovich disclosed The system of claim 17, further comprising a network that tracks locations of network devices, wherein the network records the location descriptions in the address database. (Col.3; 13-21)

21. Regarding claim 21, Alperovich disclosed The system of claim 20, wherein the network devices are mobile devices and the network continually updates the address database with new location descriptions. (Col.3; 13-21)

24. Regarding claim 24, Alperovich disclosed The system of claim 20, wherein the network includes a handheld device location system that provides the location descriptions. (Col.4; 58–65)

26. Regarding claim 26, Alperovich disclosed The system of claim 20, wherein the network includes a network-based location system that provides the location descriptions. (Col.2; 50 – Col.3; 12)

31. Regarding claim 31, Alperovich disclosed The system of claim 17, further comprising a name database cross-referencing calling party names with directory numbers, (Col.3; 55-63)

Art Unit: 2683

wherein the service control point is further adapted to search the name database for a name corresponding to the directory number, and to forward the name to a display unit, and wherein the display unit displays the location description and the name. (201; Fig.2; Col.3; 64 – Col.4; 14)

32. Regarding claim 32, Alperovich disclosed The system of claim 31, wherein the display unit is a calling name display unit. (Col.5; 14-21)

33. Regarding claim 33, Alperovich disclosed A service control point for delivering a calling party's location information, the service control point comprising:

a) a first communication link for receiving a query requesting location information of a network device, the query including a directory number of the network device; (201; Fig.2; Col.3; 64 – Col.4; 14) and

b) a second communication link to an address database that cross- references calling party location information with directory numbers, (201; Fig.2; Col.3; 64 – Col.4; 14)

wherein the service control point is adapted to receive the query and to search the address database for the calling party's location information corresponding to the directory number. (Col.3; 55-63)

34. Regarding claim 34, Alperovich disclosed The service control point of claim 33, wherein the service control point is adapted to receive an integrated services digital network (ISDN) user

Art Unit: 2683

part (ISUP) signaling message containing a calling party directory number, a called party directory number, and a presentation parameter. (Col.3; 41-54)

36. Regarding claim 36, Alperovich disclosed The service control point of claim 33, further comprising a third communication link to a name database that cross-references calling party names with directory numbers, (206; Fig.2; Col.3; 64-67)

wherein the service control point is further adapted to search the name database for a calling party name corresponding to the directory number and the transaction capability application part response includes a calling party name. (Col.3; 55-63)

38. Regarding claim 38, Alperovich disclosed A system for delivering a calling party's location information, the system comprising:

- a) an address database that lists directory numbers and their associated locations; (Col.3; 47-54)
- b) a service control point in communication with the address database; (201; Fig.2; Col.3; 64 – Col.4; 14) and
- c) a wireless network having a location system that tracks locations of wireless network devices, (Col.2; 50-67)

wherein the service control point is adapted to search the address database using a directory number, and to forward an associated location of the directory number. (Col.3; 55-63)

Art Unit: 2683

41. Regarding claim 41, Alperovich disclosed The system of claim 38, wherein the system is a part of a calling name delivery service and the system further comprises a name database that lists directory numbers and their associated calling party names, (206; Fig.2; Col.3; 64-67)

wherein the service control point is adapted to search the name database using a directory number, and to forward an associated calling party name of the directory number to a display unit. (Col.3; 55-63)

44. Regarding claim 44, Alperovich disclosed A network that tracks locations of network devices comprising:

- a) an address database that stores directory numbers and their corresponding location information; (206; Fig.2; Col.3; 64 – Col.4; 14)
- b) a location system that provides the address database with the location information; (201; Fig.2; Col.3; 64 – Col.4; 14) and
- c) a mobile switching center in communication with the address database and the location system, wherein the mobile switching center is adapted to receive calls from the network devices, (Col.2; 50-67)

wherein the network is adapted to determine the location of the network devices using the location system, to record the location information in the address database, and to provide access to the address database by a second network. (Col.2; 50-67)

Art Unit: 2683

45. Regarding claim 45, Alperovich disclosed The network of claim 44, wherein the network is adapted to record the location information before the mobile switching center forwards the call. (Col.2; 50-67)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-3, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alperovich et al. in view of Cannon et al.

2. Regarding Claim 2, Alperovich disclosed all the particulars of the claim except a stationary device. However, Cannon teaches in an analogous art, that The method of claim 1, wherein if the call is from a stationary device, the method further comprises the step of recording the location information during the calling party's service activation. (Col.2; 35-52) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a stationary device in order to give an opportunity to see the listed household name and telephone number of the calling party before answering the call.

Art Unit: 2683

3. Regarding Claim 3, Alperovich disclosed all the particulars of the claim except a stationary device. However, Cannon teaches in an analogous art, that The method of claim 2, wherein the calling party's location information is a location where the stationary telephone is installed. (Col.2; 35-52) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a stationary device in order to give an opportunity to see the listed household name and telephone number of the calling party before answering the call.

22. Regarding Claim 22, Alperovich disclosed all the particulars of the claim except a stationary device. However, Cannon teaches in an analogous art, that The system of claim 20, wherein the network devices are stationary devices and the network records the location descriptions of the stationary devices upon installation of the stationary devices. (Col.2; 35-52) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a stationary device in order to give an opportunity to see the listed household name and telephone number of the calling party before answering the call.

Claims 6, 8, 10-11, 28-30, 37, 39-40, 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alperovich et al. in view of Valentine (WO-99/27716).

6. Regarding Claim 6, Alperovich disclosed all the particulars of the claim except translating the current location into a displayable form. However, Valentine teaches in an analogous art, that The method of claim 5, wherein the current location is in raw form and

Art Unit: 2683

wherein the step of recording the location information further comprises translating the current location into a displayable form. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include translating the current location into a displayable form in order to provide the information in appropriate form.

8. Regarding Claim 8, Alperovich disclosed all the particulars of the claim except translating the current location into a displayable form. However, Valentine teaches in an analogous art, that The method of claim 1, wherein the step of retrieving the location information further comprises translating the location information to a displayable form. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include translating the location into a displayable form in order to provide the information in appropriate form.

10. Regarding Claim 10, Alperovich disclosed The method of claim 8, wherein the displayable form is selected from the group consisting of a street address, a landmark, and a building name. (Col.3; 64 – Col.4; 14)

11. Regarding Claim 11, Alperovich disclosed all the particulars of the claim except the group consisting of textual displays, graphical displays, and audio messages. However, Valentine teaches in an analogous art, that The method of claim 1, wherein delivering the location information uses a medium selected from the group consisting of textual displays, graphical displays, and audio messages. (Page.8; 27-31) Therefore, it would have been obvious to one of

Art Unit: 2683

ordinary skill in the art at the time of invention to include the group consisting of textual displays, graphical displays, and audio messages in order to provide the information in appropriate form.

28. Regarding Claim 28, Alperovich disclosed all the particulars of the claim except a mapping converter that translates the location descriptions from raw form to displayable form. However, Valentine teaches in an analogous art, that The system of claim 20, further comprising a mapping converter that translates the location descriptions from raw form to displayable form. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a mapping converter that translates the location descriptions from raw form to displayable form in order to provide the information in appropriate form.

29. Regarding Claim 29, Alperovich disclosed all the particulars of the claim except the mapping converter is in communication with the service control point. However, Valentine teaches in an analogous art, that The system of claim 28, wherein the mapping converter is in communication with the service control point. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the mapping converter is in communication with the service control point in order to provide the information in appropriate form.

30. Regarding Claim 30, Alperovich disclosed all the particulars of the claim except the group consisting of textual displays, graphical displays, and audio messages. However, Valentine

Art Unit: 2683

teaches in an analogous art, that The system of claim 28, wherein the mapping converter is in communication with the network that tracks location of network devices. (Page.8; 27-31)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the group consisting of textual displays, graphical displays, and audio messages in order to provide the information in appropriate form.

37. Regarding Claim 37, Alperovich disclosed all the particulars of the claim except a mapping converter that translates the calling party's location information from raw to displayable form. However, Valentine teaches in an analogous art, that The service control point of claim 33, further comprising a mapping converter that translates the calling party's location information from raw to displayable form. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a mapping converter that translates the calling party's location information from raw to displayable form in order to provide the information in appropriate form.

39. Regarding Claim 39, Alperovich disclosed all the particulars of the claim except a mapping converter that translates the calling party's location information from raw to displayable form. However, Valentine teaches in an analogous art, that The system of claim 38, wherein the wireless network includes a mapping converter that translates the associated location from a raw to displayable form. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a mapping converter that translates the calling

Art Unit: 2683

party's location information from raw to displayable form in order to provide the information in appropriate form.

40. Regarding Claim 40, Alperovich disclosed all the particulars of the claim except a mapping converter that translates the calling party's location information from raw to displayable form. However, Valentine teaches in an analogous art, that The system of claim 38, wherein the service control point includes a mapping converter that translates the associated location from a raw to displayable form. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a mapping converter that translates the calling party's location information from raw to displayable form in order to provide the information in appropriate form.

42. Regarding Claim 42, Alperovich disclosed A method for delivering a wireless calling party's location as part of a calling name delivery service, the method comprising:

- a) receiving at a central office a call to a subscriber of the calling name delivery service, the call including a directory number of the wireless calling party; (Col.4; 66 – Col.5; 5)
- b) triggering a query to a service control point requesting call routing instructions; (201; Fig.2; Col.3; 64 – Col.4; 14)
- c) retrieving a location and a name of the calling party using the directory number; (Col.3; 34–39 & Col.5; 14-21)
- e) returning the call routing instructions, the name, and the location to the central office; (Col.5; 16–21)

Art Unit: 2683

- f) forwarding the call, the name, and the location to the subscriber; (Col.5; 16-21) and
- g) displaying the name and the location on a calling number display unit of the subscriber. (Col.5; 16-21)

Alperovich fail to disclosed the location is raw, translating the location into displayable form. However, Valentine teaches in an analogous art, that d) if the location is raw, translating the location into displayable form; (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the location is raw, translating the location into displayable form in order to provide the information in appropriate form.

43. Regarding Claim 43, Alperovich disclosed The method of claim 42, wherein prior to receiving the call at the central office, the method further comprises determining the location of the wireless calling party and recording the location. (Col.3; 54-67)

Claims 9, 25, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alperovich et al. in view of Dorenbosch.

9. Regarding Claim 9, Alperovich disclosed all the particulars of the claim except the location information is global positioning system coordinates. However, Dorenbosch teaches in an analogous art, that The method of claim 8, wherein the location information is global positioning system coordinates. (Col.2; 48-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the location information is global

Art Unit: 2683

positioning system coordinates in order to provide services and information tailored to the location coordinates.

25. Regarding Claim 25, Alperovich disclosed all the particulars of the claim except the location information is global positioning system coordinates. However, Dorenbosch teaches in an analogous art, that The system of claim 24, wherein the handheld device location system is a global positioning system. (Col.2; 48-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the location information is global positioning system coordinates in order to provide services and information tailored to the location coordinates.

27. Regarding Claim 27, Alperovich disclosed all the particulars of the claim except the location information is Wireless Application Protocol. However, Dorenbosch teaches in an analogous art, that The system of claim 26, wherein the network-based location system is a Wireless Application Protocol location system. (Col.2; 48-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include Wireless Application Protocol in order to provide services and information tailored to the location.

Claims 16, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alperovich et al. in view of LeBlanc.

Art Unit: 2683

16. Regarding Claim 16, Alperovich disclosed all the particulars of the claim except enhanced 911 services. However, LeBlanc teaches in an analogous art, that The method of claim 15, wherein the network provides enhanced 911 services. (Abstract & Col.5; 24-42) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include enhanced 911 services in order to provide routing E-911 call from the calling party.

23. Regarding Claim 23, Alperovich disclosed all the particulars of the claim except enhanced 911 services. However, LeBlanc teaches in an analogous art, that The system of claim 20, wherein network is a wireless network that supports enhanced 911 services. (Abstract & Col.5; 24-42) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include enhanced 911 services in order to provide routing E-911 call from the calling party.

Claims 19, 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alperovich et al. in view of Malik et al.

19. Regarding Claim 19, Alperovich disclosed all the particulars of the claim except the routing instructions are in the form of a transaction capability application part response. However, Malik teaches in an analogous art, that The system of claim 18, wherein the routing instructions are in the form of a transaction capability application part response. (TCAP; 214; Fig.4; Col.8; 50-65) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the routing instructions are in the form of a transaction capability

Art Unit: 2683

application part response in order to provide final message containing instructions on how to handle the call.

35. Regarding Claim 35, Alperovich disclosed all the particulars of the claim except a transaction capability application part. However, Malik teaches in an analogous art, that The service control point of claim 33, wherein the service control point returns a transaction capability application part response including the calling party's location information and call routing instructions. (TCAP; 214; Fig.4; Col.8; 50-65) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a transaction capability application part in order to provide final message containing instructions on how to handle the call.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is 703-308-4736. The examiner can normally be reached on Mon-Thu. (6:30-4:00) alternate Fri.(6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Application/Control Number: 09/630,134

Page 19

Art Unit: 2683

SK

January 29, 2003

Loc Nguyen *Len*
Primary Examiner